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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

SAVERIO CARL FALCO ET AL.

CASE NO.: BB-1179

APPLN. NO.: 09/720,451

GROUP ART UNIT: 1652

FILED: DECEMBER 21, 2000

EXAMINER: DELIA M RAMIREZ

FOR: TETRAHYDROFOLATE METABOLISM  
ENZYMES

**AMENDMENT AND  
RESPONSE TO RESTRICTION REQUIREMENT**

**RECEIVED**

JAN 08 2003

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is an Amendment and Response to the Restriction Requirement set forth in the Office Action mailed July 26, 2002. A Petition for Extension of Time for five (5) months up to and including January 26, 2002 is filed simultaneously herewith. Please enter the following:

**IN THE CLAIMS**

**Please cancel claims 1-12** without prejudice to or disclaimer of the subject matter recited therein.

**Please add the following claims 13-25:**

13. (new) An isolated polynucleotide comprising:
  - (a) a nucleotide sequence encoding a polypeptide having 5,10-methylenetetrahydrofolate reductase activity, wherein the polypeptide has an amino acid sequence of at least 85% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:6, or
  - (b) an isolated nucleic acid fragment that is complementary to (a).
14. (new) The polynucleotide of Claim 13, wherein the amino acid sequence of the polypeptide has at least 90% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:6.
15. (new) The polynucleotide of Claim 13, wherein the amino acid sequence of the polypeptide has at least 95% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:6.
16. (new) The polynucleotide of Claim 13, wherein the amino acid sequence of the polypeptide comprises SEQ ID NO:6.